

### **REMARKS**

Claims 1-38 and 40-60 are presented for examination. Claims 1, 23, and 43 are independent.

#### **Claim Rejections, 35 U.S.C. § 103**

The Office Action rejects claims 1-19, 23-32, 34-38, 40, 42-46 and 50-54 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Ser. No. 2003/0210139 by Brooks et al. ("Brooks") in view of U.S. Patent Application Ser. No. 2003/0040925 by Gutta et al. ("Gutta"). Applicants are respectfully traversing this rejection.

Claim 1 provides for first and second stations for capturing substantially the full audio, video, and data of first and second agent-traveler interactions along a path of a traveler, wherein the stations are located at different locations. Claim 1 further provides an analysis device for comparing the audio, video, and data of the first and second agent-traveler interactions in order to determine, based upon a predetermined rule, a discrepancy.

Applicants submit that Brooks does not disclose or suggest capturing substantially the full audio, video and data of interactions. Brooks relates only to attributes of areas, personnel identification data, intrusion detection means, and the mere technical identification of the passenger. Brooks discusses identifying security breaches based on such discrete attributes and identifications, and does not teach capturing or using the full traveler-agent interactions, including audio, video and data. Brooks relates to capturing discrete security aspects within stations in an area such as an airport, and not to capturing agent-traveler interactions, particularly not the full interaction, including audio, video and data, as set forth in the claim, which represent all the activity that took place throughout the interaction.

Although Brooks alludes to using security camera supervision at ¶0045, such capturing is not interaction-aware. Rather, Brooks discusses capturing in emergency situations, wherein the alarm-raising situation has already started. Recording in response to an alarm condition means (a) not the

whole interaction is captured (since a reaction to an alarm is necessarily *post facto*) and (b) interactions for which no emergency has been detected are not captured at all. Alternatively, Brooks mentions 24-hour capturing, in which a particular interaction is indistinguishable as such from the whole continuous recording and thus can not be compared to other interactions.

As for audio recording, CCTV cameras intended for security in an area such as an airport, operate in a noisy environment and will thus not capture the voice of an interaction with usable quality. No other voice capturing means is taught by Brooks.

As for data capturing, at ¶0037 Brooks discusses capturing data related to the personnel members, although, importantly, these data only relate to identification data of the personnel, such as photo ID, and not to interactions with travelers.

In view of the above it is clear that Brooks does not disclose or suggest capturing the full audio, video and data of an interaction.

The Office Action posits that Brooks does not disclose an analysis device for comparing the audio, video, and data of the interactions, but that Gutta so teaches. Applicants respectfully disagree. Gutta does not teach comparing interactions. The only event found by Gutta by means of comparison is when a patron wears different clothing when entering and when exiting a fitting room. Indeed one may safely assume that a difference in clothing upon exiting a fitting room has nothing to do with an interaction within a broad meaning of the claims, since there is privacy around the fitting rooms rather than interactions.

Even further, Gutta's comparison relates to single images rather than to audio, video and data. This is also indicated in the Office Action in the discussion related to claim 3: "...based on the comparing of the at least one second captured image with the at least one first captured image". No comparison of audio and data, or of video beyond a single image is disclosed or suggested by Gutta.

Gutta's treatment of an interaction is limited in scope, such as when the customer is trying to return items without a receipt. This falls well short of disclosing a comparison of two interactions. Applicants submit, therefore, that the cited combination of Brooks and Gutta neither discloses nor suggests comparing the audio, video and data of the first and second interactions, as required by the claims. Applicants respectfully request reconsideration and withdrawal of the §103 rejection of claim 1, and the passage of claim 1 to allowance.

The same arguments are valid also in relation to independent claim 23 and to independent claim 43, which likewise provide for capturing substantially the full audio, video, and data interactions. Therefore applicants respectfully request reconsideration and withdrawal of the rejections of claims 23 and 43, and the passage of claims 23 and 43 to allowance.

Claims 2-19, 24-32, 34-38, 40, 42, 44-46 and 50-54 depend from claim 1 or claim 23. By virtue at least of such dependence, Applicants submit that claims 2-19, 24-32, 34-38, 40, 42, 44-46 and 50-54 are patentable over the cited references either singly or in the cited combination. The dependent claims comprise additional features that confer patentability over the prior art. For example:

Claim 3 provides an alarm identifier device for identifying an alarm situation based on the comparing of the interactions. The office action asserts that the alarm situation is identified by comparing two captured images. First, comparing two images is different from comparing audio, video and data. Second, the usage of image as described by Gutta at ¶0022 is not related to any interaction.

Claims 46 and 54 provide that the data capture device is a screen capture device. A screen capture device is distinguishably described at ¶0036 of the present application as published: “[d]ata from computer screens may be captured in response to screen events as further described in the related patent applications listed above. Capturing data from computer screens is accomplished by the capturing module accessing the memory device of the computer screen and retrieving the computer screen information ... The agent's software (such as a CRM like software) will likely include fields in which the agent will insert his comments as to the traveler or fulfill important data about the traveler, such as language skills, general behavior and so forth. In addition, capturing device 226 may collect answers to various security-related questions.” A screen capture device thus accesses the memory device of the computer in order to retrieve data, which is different from a camera or a fingerprint scanner which acquires images. The combination of Brooks and Gutta neither discloses nor suggests a screen capture device as provided by claims 46 and 54.

Claim 53 provides that the audio, video and data of either interaction are recorded simultaneously. On page 15 of the Office Action, the Examiner asserts that Brooks teaches the simultaneous recording: “gather[s] all this information in a relatively short period of time and possibly, some of the information simultaneously”. Simultaneous recording means that the data of the different sources is recorded (i.e., written) at the same time. Synchronization, however, is important for retrieval (i.e., reading) time, so that events are retrieved and played or otherwise shown according to the same timeline as they occurred, regardless of the recording time.

Applicants respectfully request reconsideration and withdrawal of the §103 rejection of claims 2-19, 24-32, 34-38, 40, 42, 44-46 and 50-54, and the passage of claims 2-19, 24-32, 34-38, 40, 42, 44-46 and 50-54 to allowance.

The Office Action rejects claims 20-22, 33, 41 and 47 under § 103 as being unpatentable over Brooks in view of Gutta, and further in view of U.S. Patent No. 6,757,408 to Houvener (hereinafter “Houvener”).

Claims 20-22, 33, 41 and 47 depend directly or indirectly from claim 1 or claim 23. For at least the reason of such dependence, claims 20-22, 33, 41 and 47 are also patentable over the cited art. Further, the dependent claims provide features that confer patentability over the cited combination of art. For example:

Houvener lacks a quality assurance device for analyzing the quality of service provided to a traveler by an agent, as provided by claim 20. Even assuming, *arguendo*, that Houvener enables an organization to provide better service and improve quality, Houvener still does not provide a quality assurance device for analyzing said quality.

Therefore, Houvener also fails to disclose or to suggest claims 21 and 22, which provide for alerting a supervisor when the assessed quality fails to meet a predetermined status, or initiating a training session.

In view of the above, Applicants are respectfully requesting that the §103 rejections of claims 20-22, 33, 41 and 47 be reconsidered and withdrawn.

The Office Action rejects claims 48-49 under § 103 as being unpatentable over Brooks in view of Gutta, and further in view of US6,724,887 to Elibacher (hereinafter "Elibacher").

Claims 48-49 depend indirectly from claim 23. For at least the reason of such dependence, claims 48-49 are also patentable over the cited art. Elibacher does not cure the deficiencies of Brooks, and Gutta and the combination neither discloses nor suggests capturing and analyzing the full traveler-agent interactions.

Therefore, Applicants are respectfully requesting that the §103 rejections of claims 48-49 be reconsidered and withdrawn.

The Office Action rejects claims 55-56 and 58-59 under § 103 as being unpatentable over Brooks in view of Gutta, and further in view of US Pre-grant Publication 2003/0058084 by O'Hara (hereinafter "O'Hara ").

Claims 55-56 depend from claim 1, and claims 58-59 depend from claim 23. For at least the reason of such dependence, claims 55-56 and 58-59 are also patentable over the cited combination of art; and O'Hara does not cure the deficiencies of Brooks and Gutta and does not teach capturing and comparing the full traveler-agent interactions.. O'Hara merely compares the biometric characteristics of the person who purchased the passage and the person boarding the vehicle are the same – this is not a comparison of interactions as provided in the claims.

Further, regarding claims 56 and 59, O'Hara does not disclose assessing disparity between an item carried by said traveler, and said traveler's destination. O'Hara discusses asking the customer about his destination, but not assessing disparity between said destination and the traveler's carried items.

Therefore, Applicants are respectfully requesting that the §103 rejections of claims 55-56 and 58-59 be reconsidered and withdrawn.

The Office Action rejects claims 57 and 60 under § 103 as being unpatentable over Brooks in view of Gutta, and further in view of US 7,084,736 to Ritter (hereinafter "Ritter").

Claim 57 depends from claim 1, and claim 60 depends from claim 23. For at least the reason of such dependence, claims 57 and 60 are also patentable. Ritter discusses verifying access permission of a traveler using public transportation but nevertheless is unable to cure the deficiencies of Brooks and Gutta and does not teach capturing and comparing the full traveler-agent interactions.

In addition, where Ritter relates to "appearance" the context is the biometric characteristics, such as retina or fingerprint, which is not generally considered as "appearance." "Appearance"

generally and as used in the context of claims 57 and 60 relates to characteristics that are noticeable by another person, and thus do not include items typically reserved for biometrics, such as retina or fingerprint. Therefore, Applicants are respectfully requesting that the §103 rejection of claims 57 and 60 be reconsidered and withdrawn.

In view of the above, Applicants believe that all claims are in condition for allowance, and respectfully request the withdrawal of all rejections and passage of the claims to allowance.

If for any reason the Examiner feels that consultation with Applicants' attorney would be helpful in the advancement of the prosecution, the Examiner is invited to call the telephone number below.

Respectfully submitted,

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